

**COMMITTEE ON FINANCE**  
**(Standing Committee of Berkeley County Council)**

Chairman: Mr. Steve M. Vaughn, District No. 5

Members: Mr. Milton Farley, District No. 1  
Mrs. Judith K. Spooner, District No. 2  
Mr. William E. Crosby, District No. 3  
Mr. Charles E. Davis, District No. 4  
Mrs. Judy C. Mims, District No. 6  
Mr. Caldwell Pinckney, Jr. District No. 7  
Mr. Henry L. Richardson, Jr., District No. 8  
Mr. James H. Rozier, Jr., Supervisor, ex officio

The COMMITTEE ON FINANCE met on Monday, November 19, 2001, 2001, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 6:35 p.m.

PRESENT: Mr. Steve M. Vaughn, Councilmember District No. 5, Chairman; Mr. Milton Farley, Councilmember District No. 1; Mrs. Judith K. Spooner, District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Charles E. Davis, Councilmember District No. 4; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr., Councilmember District No. 7; Mr. Henry L. Richardson, Jr., Councilmember District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk to County Council.

The requirements of the Freedom of Information Act have been complied with by posting the time, date, place and agenda of this meeting of Berkeley County Council at the entrance to the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and a copy of such notice was mailed to all Councilmembers and the News media.

Chairman Vaughn called the meeting to order and stated the first item on the agenda was Consideration of a Resolution giving an Extra Day of Paid Vacation in Recognition of the 2001 Christmas Holiday.

It was moved by Councilmember Davis and seconded by Councilmember Pinckney to send the Resolution giving an Extra Day of Paid Vacation in Recognition of the 2001 Christmas Holiday to Council for adoption. The motion passed by unanimous voice vote of the Committee.

Next was Review prior to Second Reading of the following:

1. Bill No. 01-61, an Ordinance authorizing: (1) the execution and delivery of a fee in lieu of tax agreement among Berkeley County, South Carolina (the "County"), and SJP, LLC and Pearlstine Distributors, Inc., (collectively, the "Company"); (2) payment by the company of certain fees in lieu of ad valorem taxes; and (3) certain other matters related thereto.

It was moved by Councilmember Farley and seconded by Councilmember Crosby to send Bill No. 01-61 to Council for Second Reading. The motion passed by majority vote of the Committee with Councilmembers Spooner and Mims voting "Nay."

2. Bill No. 01-62, an Ordinance to amend Ordinance No. 95-6-20, which established the Devon Forest Special Tax District and the Devon Forest Special Tax District Advisory Commission.

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to send Bill No. 01-62 to Council for Second Reading. The motion passed by unanimous voice vote of the Committee.

3. Bill No. 01-64, an ORDINANCE authorizing certain economic development incentives, including a lease purchase agreement between Berkeley County, South Carolina and Haarmann & Reimer, a Delaware Corporation, relating to the expansion and upgrading of its existing manufacturing facilities in Berkeley County, South Carolina, the acceptance of title by Berkeley County, South Carolina to these facilities, the lease by Berkeley County, South Carolina to Haarmann & Reimer of the assets so transferred (including the grant of an option to Haarmann & Reimer to repurchase such assets), the payment of a fee-in-lieu of property taxes, special source revenue incentive and other related matters.

It was moved by Councilmember Spooner and seconded by Councilmember Crosby to send Bill No. 01-64 to Council for Second Reading. The motion passed by unanimous voice vote of the Committee.

Chairman Vaughn stated that next on the agenda was Item C, Review prior to Third Reading of the following:

1. Bill No. 01-47, an Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and among Berkeley County, South Carolina, and Triton PCS Holdings Company, LLC; and other matters relating hereto including, without limitation, payment of a fee in lieu of taxes.

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to send Bill No. 01-47 to Council for Third and final reading. The motion passed by unanimous voice vote of the Committee.

2. Bill No. 01-48, an Ordinance authorizing the execution and delivery of a fee in lieu tax agreement by and among Berkeley County, South Carolina, and DIBS-SUN, LLC; and other matters relating thereto including, without limitation, payment of a fee-in-lieu of taxes.

It was moved by Councilmember Crosby and seconded by Councilmember Farley to send Bill No. 01-48 to Council for Third and final reading. The motion passed by unanimous voice vote of the Committee.

3. Bill No. 01-52, an Ordinance to amend the agreement for development of a Joint County Industrial Park executed on April 24, 1995, by and among Berkeley County, South Carolina, and Williamsburg County, South Carolina, providing for the development of a jointly owned and operated industrial business park so as to include additional property in both Berkeley County and Williamsburg County as part of the joint county industrial park, and other matters relating thereto.

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to send Bill No. 01-52 to Council for Third and final reading. The motion passed by unanimous voice vote of the Committee.

Chairman Vaughn addressed the Addendum, Item D, Chief Keith Paradise, Vice President Berkeley County Fire Chief's Association, Re: Presentation of annual operational budget for County Fire Departments.

Mr. Tim Stephenson, Chief Whitesville Fire Department, stated they were there in behalf of the 26 fire departments that represent Berkeley County. He stated the presentation encompasses things they face in the fire departments every day. They came in August to ask for a fee increase, which would have yielded \$830,000 to the 26 fire departments. Mr. Stephenson stated they are not asking for this increase blindly and they hope that through the packets handed out Council would be able to understand their position. The departments are governed by the Occupational Safety and Health Administration Regulations and Rules, and the National Consensus Standards from the National Fire Protection Association (NFPA).

Chief Stephenson stated he has 23 years of fire service experience and when he goes through those regulations he has to get help from OSHA or NFPA to interpret some of the regulations. South Carolina is an OSHA state. The Department of Labor License and Regulations have adopted the Federal OSHA Standards, verbatim, with a few exceptions. One exception is in 29CFR1910.134 G4II, which allows two interior firefighters to enter a structure to fight fire or do rescue with one firefighter outside an area called the immediate danger to life and health atmosphere. He made reference to Section 1910.156, the Fire Brigade document, and stated this requires the Fire Departments to provide personal protective equipment at no cost to each of the employees at \$1,702, on an average. In 29CFR1910.134 the respiratory protection document requires the employer to provide this protection at approximately \$2,400 per unit. Also, in that same document physical exams are required for each firefighter annually at an approximate cost of \$135 per person. To outfit one firefighter in accordance with the coded Federal regulations takes about \$4,282. Although he is ready to be trained and has the equipment, they can't use him. Chief Stephenson stated they deal with the National Fire Protection Association Standards every day. He stated those standards provide guidance for fire departments in operational and safety aspects to insure both the safety of the community and the safety of their firefighters. Mr. Stephenson addressed Document #5, which provided a review of the fire departments physical; Document # 6, guidance for operational issues within the fire department, which is still in draft form.

Councilmember Spooner asked was the NFPA 1720 for volunteer firefighters? Chief Stephenson stated NFPA 1710 applies to paid fire fighters and was adopted September 2001, prior to the International Fire Chiefs conference. Councilmember Spooner asked was that an update on one of the other documents or was there an addition? Chief Stephenson stated that is the final document to go to NFPA for approval and would supplement NFPA 1201.

Chief Stephenson continued the single engine fire truck costs about \$210,000 without equipment; with equipment the cost could be up to \$300,000. EMS equipment for engines or vehicles to operate is about \$6,000 per year on the average. Specialized rescue tools such as the Jaws of Life cost \$18,000 to \$25,000; one hazardous material suit costs about \$3,800 to \$5,000 on the average. All of these items are currently in service some where in Berkeley County. With the exception of the apparatus all of these items are non-contractual budget items. In reference to the Insurance Service Offices, that rating directly affects the amount of insurance premiums paid by the residents within the fire district. ISO requires specific equipment to lower the rating, which directly reflects a savings to the residents.

Councilmember Pinckney asked what was the lowest ISO Rating in Berkeley County? Chief Stephenson stated 4 is the lowest and the highest is 10. Councilmember Pinckney indicated he applauds the firefighters but he does have concerns about the rural areas. He asked would the \$25 have an impact on the 10 rating? Chief Stephenson stated they were not there to ask for the \$25. However, fire chiefs and fire fighters do not spend the money that is put back into fire departments budgets. The Board of Directors is responsible for getting the ISO ratings lowered.

Fire Chief Paradise stated they would find in many cases that the money is actually distributed to do a number of other tasks that encompasses lowering the ISO ratings. Many departments that would get new funding would not immediately go to things that would lower the ratings. Councilmember Pinckney stated there are fire departments in District 7 that the \$25 would not attempt to help in lower ratings. He stated the fire departments that have a 4 rating, why don't they distribute some of their funds to bring the other departments up? Chief Paradise stated they would then go back to a 6 or an 8; it takes money to maintain the ratings. New money to smaller departments would not instantly lower their ISO ratings because there are other things needed to get to that point. Had this money been available to those departments seven years ago and they were able to work their way to it, they could have gotten it. Councilmember Pinckney stated he knows there is no panacea but he wishes they could be a little more rational about things when it comes to that.

Chief Stephenson stated there are approximately nine departments that are holding a 9 or 10 rating within Berkeley County. Within 18 months to a year, provided they receive this money, they expect to have an ISO rating of 7. On an average \$125,000 home that would save each resident within the tax district approximately \$300.

Councilmember Richardson indicated he was under the impression they were not here to ask for money. Chief Stephenson stated they are asking for money; they are like any other organization within Berkeley County, they are dying out there. He asked the Committee to

notice Documents 7 and 8. Document 7 shows the 26 departments within Berkeley County; they answered 2,428 calls in 2000. Document 8 shows they answered 4,004 non-contractual calls in 2000, which brings the total to 6,432. He stated those 4004 calls are currently taken out of fire departments budgets from fire suppression. On an average they answer 60.6 percent of calls by volunteer fire departments that are not contractual.

Councilmember Spooner asked what did he mean by contractual? Chief Stephenson stated the fire departments sign a contract with County Council to provide service to the residents within Berkeley County. The contract is for residential, commercial, and other fire fighting operations. Any calls they run that are not fire related calls would be non-contractual or non-funded calls such as EMS, bomb threats, gas leaks, etc. Supervisor Rozier asked were the EMS calls First Responders or those responding with EMS? Chief Stephenson stated that covers all First Responder calls; it doesn't cover EMS calls that don't involve the fire departments. He stated EMS doesn't have volunteers that show; First Responders are usually related to fire service personnel and are trained medically to first respond. Supervisor Rozier confirmed that the only thing that fire departments are contracted to do is fire calls; and in doing that they fulfill their contract. If none of the 4,004 non-funded calls were made, the fire departments would have still fulfilled their contract with the fire calls. Chairman Vaughn asked if the 60.6 percent were accidents? Chief Paradise stated those calls were traffic accidents, entrapments, bomb threats, etc., and he is sure Berkeley County does not want them to stop those calls that are needed by the public but there is a funding issue. At some point they would have to back away because they don't have the funds. Chief Stephenson made reference to the accident that happened in his district where two young boys died and the third was entrapped in the car. Had they not had the capability to perform rescue with the Jaws of Life, they would have had three deaths instead of two. So, they are here to say that these are needed services and they don't want them to stop.

Councilmember Spooner asked what did special duties entail? Chief Paradise stated these are calls where someone may be stuck in the bathtub, cat in the tree, etc. Supervisor Rozier stated he didn't want them to discontinue any of those calls.

Chief Stephenson stated they looked at the County budget and funding has become critical in these 26 departments. On the north end, and some of the other rural departments are dying. He stated his department is doing 693 calls per year compared to a department that is doing 38 calls. Therefore, his expenses are three to four times greater. The money needs to be distributed collectively throughout all of the departments so that the big departments could continue to provide the services, and that the smaller departments could get better.

Councilmember Spooner asked how did they pay for their Hazmat equipment if it was not funded in their budget? Chief Stephenson stated that comes out of the fire suppression budget. He stated Goose Creek Rural does all of Hazmat for Berkeley County and it comes out of their budget; and they cut themselves short somewhere else. For example, \$24,000 is spent on a set of rescue tools.

Supervisor Rozier suggested that he along with the Fire Chiefs get together to review the budget because some of the line items do not match. There are items they depicted that can't be

spent out of another line item. For example, the School District gets about 75% of the \$200,000 from the Moncks Corner TIF.

Chairman Vaughn asked had they considered sitting down and discussing the budget with the Supervisor? Chief Paradise stated they are learning and that particular procedure had not been tried. However, their plan was to make sure that County Council sees the urgency of this and he is sure that in Council's ultimate wisdom they could find a way to fund this program. Supervisor Rozier stated they made references to items they thought were in the budget that shouldn't be there and that needs to be discussed. Chief Paradise stated they would love to meet with the Supervisor.

Councilmember Richardson commended the fire departments on the job they do. However, they came before Council for an increase in fire fees to help lower the ratings in the rural areas; and that has not happened. Now, the fire departments are back asking for increase to help lower the ratings. Chief Paradise stated they are attempting to do that but they are 10 years behind the rest of the world, and they are working toward that. Councilmember Richardson stated when they come in and say this would lower the ratings and he tells the constituents we are going to get lower ratings because of the \$25 tax increase he expects that. However, years later when the rating is not lowered and they ask for another increase to lower what was supposed to have been lowered, it creates a problem. When they looked at the chart, one department received a huge sum of money based on the \$25 increase; and the other departments received \$4,000 to \$5,000. Councilmember Richardson stated his math tells him that won't do much good on anything. Unfortunately, less money is going to the rural areas where it won't have any affect on the ratings. District 8 has an ISO rating of 10; how much lower can Goose Creek get? He indicated that he supported them 100 percent but he has to see something that's going to benefit the rural area fire departments.

Chief Paradise stated he couldn't speak for other fire chiefs and where their funds actually go but the grand scheme is that they have this job to perform.

Chairman Vaughn asked could they look at what it would take to lower the ratings in the rural areas? In reference to Councilmembers Richardson and Pinckney, they need to have something to sell to their constituents. Chief Paradise stated there is a larger crisis in the big departments because it costs more to operate. He stated they have in place the Five-member Board appointed by County Council that is working along with the Chiefs' Association Board to usher in a new program for the following year that would put more money in the smaller departments pockets and still allow the big departments to continue and lower their rates, also. Nothing is an overall instant fix but doing nothing won't fix anything.

Councilmember Pinckney asked if they were to get the increases would those departments with a 9 or 10 rating see about a 7 within 12 to 18 months? Chief Paradise stated it is the departments' desire to do that. Chief Stephenson stated it is up to the Fire Chiefs to request the ISO inspection; and those things don't happen overnight. ISO deals with 2.8 million fire fighters across the nation. Councilmember Pinckney reiterated that when he and

Councilmember Richardson go out they have to give the constituents something to stand on. If the fire departments could get together and give them something that is viable that would be fine.

Chief David Shuler, Jamestown Rural Fire Department, stated he had been in the business for 34 ½ years. Three years ago when he asked for the \$25 increase he told them then it would be a temporary fix. He stated Rembert Wrenn had asked him to come up with a five-year plan and \$1.2 million is what it would take to bring his department up in five years. Chief Shuler stated they could not go into a burning building anymore because none of his equipment is certified. If they want the ISO ratings they must have the equipment, the training, and the records to prove that training before they can call for an ISO inspection.

Supervisor Rozier asked was the water one element of it? Chief Shuler stated that is only one part, which is about 60 percent. He stated there are about 7 or 8 departments in Berkeley County that have no training records. There are certain departments in District 8 that hadn't had a meeting or training in two years; and there is one gentleman operating the fire department. Chief Shuler stated County Council doesn't know whether there is a fire truck in some of those buildings when the contract is signed.

Councilmember Spooner indicated the State has cut the County's budget \$100,635 and another cut is supposed to come after the first of the year. Chief Stephenson stated they looked at the budgets that had 15% of the monies left at the end of the year. Supervisor Rozier stated County Council does their best not to spend the entire budget. If they would look at the revenue part of the budget, a little over \$2 million was carried over to balance this year's budget; the year before \$3 million was carried over. He stated he was President of the SCAC and they paid all of his expenses; so, consequently, there was money left in his budget. Chief Stephenson stated they were asked by Chairman Vaughn to look at the budget and they thought they were doing okay. Supervisor Rozier stated he was offering to help.

Chief Paradise stated they would not be able to afford 60 percent of the calls they had been running come January. He asked if the County carried over \$2,000,000 from last year to this year's budget, could they not have carried \$280,000 or \$400,000 for them? Councilmember Spooner stated that if the County did not have a carry over we would be in the same situation as Dorchester County, which is borrowing money to pay salaries until the tax dollars come in. Chief Paradise stated they feel that in the grand scheme of things the \$800,000 they asked for was miniscule to the amounts of money the County handles.

Councilmember Richardson stated they desperately want to help. He stated Chief Shuler is exactly right when he says, "a temporary fix." That's what he is trying to avoid in this situation because that would only bring them back in another two years. Chief Paradise stated the chiefs and the Five-member Board are working on a plan to introduce to Council next year, which could carry them through the next four to five years. Councilmember Richardson stated he was hoping they would quickly get together and come up with a plan that is solid and one that could help resolve this problem. Chief Paradise stated they have set up a Berkeley County Chief's Association, and that board is helping all of the departments. They have mutual aid agreements; his department aids five surrounding departments. When Company 8 gets a call, in

many cases Company 6, the bigger department, is on the way and provides 70 to 80 percent of the manpower and equipment that are on the scene. So, monies they have go to the smaller departments in mutual aid.

Chief Stephenson stated the firefighters that were present have jobs; they work every single day. In the middle of a meal they get up and go away not knowing whether they are going to come back alive, scarred or damaged. He stated it's time for all members of Berkeley County to start supporting the firefighters. They need to ask themselves, "Had September 11 occurred in Berkeley County, would you have expected anything less from these firefighters than what those firefighters gave in New York City? The answer is no; they would have entered a burning building to find a child; or leave in the middle of the night to cut someone out of a car."

Councilmember Richardson stated that statement is wrong because they support the fire departments 100 percent. However, they have to be clear on what they would vote on concerning these issues.

Councilmember Mims asked about taxes on vacant lands? Chief Stephenson stated that was entailed in the last proposal brought to Council and it was denied; so, they have given up on that issue. Supervisor Rozier stated there is no charge on vacant lands but the fire departments are required to fight fires on vacant lands. Chief Shuler stated the County did a study on this issue five years ago and the recommendations were to tax vacant lands. However, a lot of big landowners showed up and shot everybody down. Their contract stipulates they would have to extinguish fires on every acre of land in their district regardless to who owns it.

Supervisor Rozier stated he has no question that the fire departments in Berkeley County need more money. Chief Paradise stated they are asking for the Supervisor's expertise along with Chairman Vaughn and Charlie Davis for his district. Any help they could come up with would be appreciated because there is a desperate need for the constituents of Berkeley County.

Chairman Vaughn asked could they not look at it from the property taxes on cars? Supervisor Rozier stated no, there are counties that have fees on cars for different reasons so that could not be done. Chief Paradise stated they had tried to collect monies from insurance companies as a result of traffic accidents but without the support of an Ordinance from Berkeley County there is nothing to back them. Chairman Vaughn stated the County might be able to do something on that level.

Chairman Vaughn expressed his appreciation to the fire departments and suggested they get with the Supervisor to see if there was anything they could do to get this issue resolved.

Councilmember Spooner asked was this presentation made before the Five-member Board? Chief Paradise stated they hadn't been very forth coming in meeting with them at this point. He is not sure that they are on the same page. They are doing things their way and have left the fire departments on their own. This is a brand new board and it would be three years before they really know what's going on. They are not firefighters. Supervisor Rozier stated they would not know what's going on without meeting with the Fire Chiefs to get information.

Chief Shuler stated that Board came to his department and met with five fire departments and they did not know anything about what was going on, nothing about their equipment, etc. He stated he thought they would meet with fire departments individually to find out their needs but they chose not to. Chief Paradise stated they are not fact finding, they are dictators.

It was moved by Councilmember Richardson and seconded by Councilmember Spooner to adjourn. The motion passed by unanimous voice vote of the Committee.

The Meeting adjourned at 7:40 p.m.

December 10, 2001  
Date Approved

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**(Standing Committee of Berkeley County Council)**

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Mr. James H. Rozier, Jr., Supervisor, ex officio

A Meeting of the COMMITTEE ON FINANCE, Standing Committee of Berkeley County Council, will be held on Monday, November 19, 2001, in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, following the meeting of the Committee on Land Use, the Committee on Planning and Development, the Committee on Water & Sanitation, the Committee on Public Works and Purchasing and the Committee on Human Services at 6:00 p.m.

**AGENDA**

**ADDENDUM:**

- D. CHIEF KEITH PARADISE, VICE PRESIDENT BERKELEY COUNTY FIRE CHIEF'S ASSOCIATION, RE: Presentation of annual operational budget for County Fire Departments.

November 16, 2001  
S/Barbara B. Austin  
Clerk to County Council

**COMMITTEE ON FINANCE**  
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**AGENDA**

A. Consideration of a Resolution giving an Extra Day of Paid Vacation in Recognition of the 2001 Christmas Holiday.

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option to Haarmann & Reimer to repurchase such assets), the payment of a fee-in-lieu of property taxes, special source revenue incentive and other related matters.

C. Review prior to Third Reading of the following:

1. Bill No. 01-47, An Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and among Berkeley County, South Carolina, and Triton PCS Holdings Company, L.L.C.; and other matters relating hereto including, without limitation, payment of a fee in lieu of taxes.

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November 14, 2001  
S/Barbara B. Austin  
Clerk to County Council